



NEWS RELEASE

Office of Representative Bob Thorpe

ARIZONA HOUSE OF REPRESENTATIVES

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Rep. Bob Thorpe, R-Flagstaff (Dist. 6)

FOR IMMEDIATE RELEASE

ASSERTING STATE SOVEREIGNTY OVER FEDERAL CLEAN AIR ACT

STATE CAPITOL, PHOENIX (Feb. 14, 2014) – Rep. Bob Thorpe is sponsoring legislation asserting Arizona's right as a sovereign state to choose whether it cooperates with the Environmental Protection Agency on air quality standards established under the Clean Air Act for airborne particulates, including PM-10. House Bill 2698 amends title 49, Chapter 3, article 2 of Arizona Revised Statutes.

"The Act defines PM-10 as an emission from a smoke stack, exhaust pipe or other source. It does not refer to dust," Thorpe said. "My legislation recalibrates the relationship between Arizona and the federal government when it comes to managing air quality, and distinguishes between emissions and naturally occurring airborne dust."

Rep. Thorpe points to the majority opinion in the U.S. Supreme Court case *Printz Mack v U.S.* that said, "The Federal Government may neither issue directives requiring the States to address particular problems, nor command the States' officers, or those of their political subdivisions, to administer or enforce a federal regulatory program...such commands are fundamentally incompatible with our constitutional system of dual sovereignty."

Thorpe added that the legislation does not prevent the Arizona Department of Environmental Quality from monitoring or tracking PM-10, PM-2.5 and other particulates.

The legislation was assigned Feb. 12 to the House committee on Energy, Environment and Natural Resources.

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